FILED
Clerk
District Court

FEB 13 2006

For The Northern Mariana Islands

By

(Deputy Clerk)

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,	) Civil No. 08-0009
Respondent	)
v.	ORDER DENYING MOTION FOR APPOINTMENT OF
ERIC JOHN TUDELA MAFNAS,	) COUNSEL FOR 28 U.S.C. ) § 2255 MOTION
Petitioner	) )

THE COURT has received three filings from petitioner Mafnas. The first seeks appointment of counsel to represent him in a 28 U.S.C. § 2255 proceeding, and the other two request orders from the court directing his former retained counsel to turn over to him all his files in their custody, including their work product. It is necessary only to address the first motion.

AO 72 (Rev. 08/82)

Petitioner's motion for appointment of counsel to represent him in a 28 U.S.C. § 2255 proceeding is denied. Appointment of counsel is discretionary under section 2255 and petitioner has given the court no information from which it could weigh petitioner's likelihood of success on the merits or the complexity (or even the general nature) of the legal issues petitioner wishes to raise. Petitioner having failed to provide at least a cursory showing of the grounds upon which he believes he is entitled to relief under 28 U.S.C. § 2255, the court denies his motion for appointment of counsel.

IT IS SO ORDERED.

DATED this 13th day of February, 2008.

ALEX R. MUNSON Judge

(Rev. 08/82)

AO 72